

# **EXHIBIT J**

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
Civil Case No. 17-CV-02393

## **CIERA WASHINGTON,**

**Plaintiff,**

-against-

WALGREENS; WALGREENS CO.; DUANE READE; DUANE  
READE INC.; DUANE READE INTERNATIONAL, LLC;  
and Individually and Jointly; LUIS GUERRERO;  
GERMAINE ALLEN; VIVIAN GHOBRIAL; and CRYSTAL  
BECKRUM,

## **Defendants.**

1250 Broadway  
New York, New York

February 14, 2018

10:04 a.m.

PARTS CONFIDENTIAL  
ATTORNEYS' EYES ONLY

EXAMINATION BEFORE TRIAL of DEFENDANT,  
GERMAINE ALLEN, by the Plaintiff in the  
above-entitled action, held at the above time  
and place, taken before JENNIFER CRUZ, a  
Professional Shorthand Reporter and Notary  
Public of the State of New York, pursuant to  
Notice and stipulations between Counsel.

<p style="text-align: right;">Page 38</p> <p>1           <b>G. ALLEN</b></p> <p>2        MR. WARSHAW: Objection to form.</p> <p>3        A. Maybe on the complaint.</p> <p>4        Q. Okay. So in the complaint you</p> <p>5   remember reviewing information related to</p> <p>6   that?</p> <p>7        MR. WARSHAW: Objection to form.</p> <p>8        A. I don't remember exact wording,</p> <p>9   but...</p> <p>10      Q. But?</p> <p>11      A. That's the only information. It was</p> <p>12   a long time ago I read it, so I don't</p> <p>13   remember exact wording.</p> <p>14      Q. Okay. And the harassment charge</p> <p>15   that plaintiff is making, do you recall</p> <p>16   receiving any information of any kind,</p> <p>17   whether it's the complaint, anything, related</p> <p>18   to plaintiff's charges of harassment?</p> <p>19      MR. WARSHAW: Objection to form.</p> <p>20      A. No.</p> <p>21      Q. You don't, at all?</p> <p>22      A. No.</p> <p>23      Q. Okay, moving on.</p> <p>24      You said you never participated in a</p> <p>25   deposition before?</p>	<p style="text-align: right;">Page 40</p> <p>1           <b>G. ALLEN</b></p> <p>2   clearer.</p> <p>3        Were you fired?</p> <p>4        A. Yes.</p> <p>5        Q. Defendants fired you in early</p> <p>6   June 2016?</p> <p>7        A. Yes.</p> <p>8        Q. And what were the circumstances</p> <p>9   surrounding your firing?</p> <p>10      A. Lack of work.</p> <p>11      Q. That's what they claimed?</p> <p>12      A. Yes.</p> <p>13      Q. Any other circumstances?</p> <p>14      A. No.</p> <p>15      Q. How did you come to learn you were</p> <p>16   fired?</p> <p>17      A. They call me to the office.</p> <p>18      Q. Who called you in the office?</p> <p>19      A. The loss prevention manager and the</p> <p>20   district manager.</p> <p>21      Q. Loss prevention manager's name?</p> <p>22      A. Don't remember his exact name.</p> <p>23      Q. But it's a he?</p> <p>24      A. Yes, a he.</p> <p>25      Q. Okay. Could it have been David</p>
<p style="text-align: right;">Page 39</p> <p>1           <b>G. ALLEN</b></p> <p>2        A. Yes.</p> <p>3        Q. And that's correct?</p> <p>4        A. Yes.</p> <p>5        Q. Have you ever -- strike that.</p> <p>6        Are you a current employee of</p> <p>7   defendants?</p> <p>8        A. No.</p> <p>9        Q. When did your employment with</p> <p>10   defendants end?</p> <p>11      A. June 2016.</p> <p>12      Q. June 2016?</p> <p>13      A. Yes.</p> <p>14      Q. Do you know about when in June 2016?</p> <p>15      A. I don't remember the exact date.</p> <p>16      Q. Was it mid June?</p> <p>17      A. No, early June.</p> <p>18      Q. Early June?</p> <p>19      A. Mm-hum.</p> <p>20      MR. WARSHAW: Yes?</p> <p>21      THE WITNESS: Yes.</p> <p>22      Q. Early June being before June 15th?</p> <p>23      A. Yes.</p> <p>24      Q. Okay. And how did -- what were the</p> <p>25   circumstances surrounding -- let me be even</p>	<p style="text-align: right;">Page 41</p> <p>1           <b>G. ALLEN</b></p> <p>2        Jenny?</p> <p>3        A. Yes, that's him, David Jenny.</p> <p>4        Q. David Jenny?</p> <p>5        A. Mm-hum.</p> <p>6        MR. WARSHAW: Yes?</p> <p>7        THE WITNESS: Yes.</p> <p>8        Q. Okay. And how about the district</p> <p>9   manager?</p> <p>10      A. Robert, but don't remember the last</p> <p>11   name.</p> <p>12      Q. Patchiarchi (phonetic), something</p> <p>13   like that?</p> <p>14      A. Yes, something like that.</p> <p>15      Q. Okay. I just ask the court reporter</p> <p>16   to put a line next to the -- for you to</p> <p>17   insert Robert's last name when you learn of</p> <p>18   the spelling.</p> <p>19      Okay?</p> <p>20      A. Yeah.</p> <p>21      (INSERT): _____.</p> <p>22      Q. And anyone else notify you that you</p> <p>23   were fired?</p> <p>24      A. No, that's it.</p> <p>25      Q. Okay. How did they call you to come</p>

<p style="text-align: right;">Page 166</p> <p>1           G. ALLEN 2 someone treats someone badly in retaliation 3 for a complaint? 4           MR. WARSHAW: Objection to form. 5           A. Yes. 6           Q. Okay. Is that your understanding, 7 in sum and substance, of the term 8 retaliation? 9           A. Yes. 10          Q. Okay. Now, if I represent to you 11 that retaliation is retaliating against -- or 12 doing something negative to someone in 13 retaliation against a complaint, I'm meaning 14 in retaliation against a complaint of 15 unlawful activity like discrimination, 16 unlawful discrimination, unlawful harassment; 17 do you understand that? 18          A. Yes. 19          Q. Okay. So when I speak of 20 retaliation, that is the meaning. 21          Do you understand that? 22          MR. WARSHAW: Objection to form. 23          A. Yes. 24          Q. That we can agree on; correct? 25          A. Yes.</p>	<p style="text-align: right;">Page 168</p> <p>1           G. ALLEN 2           Q. Okay. And how about harassment, 3 what's your understanding of the term 4 harassment, or harass or a similar 5 derivation? 6           A. Like when somebody keep on harassing 7 you about something. 8           Q. Okay. 9           A. Yeah. 10          Q. Harassing means treating negatively 11 in any way? 12          MR. WARSHAW: Objection to form. 13          A. That I don't know. 14          Q. Calling you bad names, doing 15 negative behaviors. 16          Harassment, you understand, can mean 17 verbal, physical, activities, firing -- well, 18 it's treating someone negatively, harassing; 19 is that correct? 20          MR. WARSHAW: Objection to form. 21          A. Yes. 22          Q. Okay. When we were talking about 23 harassment or harass or other terms, other 24 derivations of that word, was that your 25 understanding of it?</p>
<p style="text-align: right;">Page 167</p> <p>1           G. ALLEN 2           Q. That is your understanding of 3 retaliation? 4           A. Yes. 5           MR. WARSHAW: Objection to form. 6           Q. Now, when we discussed retaliation 7 at any time previously from the beginning of 8 your deposition to right now, was that your 9 understanding of retaliation? 10          MR. WARSHAW: Objection to form. 11          A. No. 12          Q. Was your understanding of -- what 13 was your understanding of retaliation when 14 you answered questions at any point from the 15 beginning of the deposition until now? 16          MR. WARSHAW: Objection to form. 17          Q. Was it that someone is treated 18 negatively in retaliation against a 19 complaint? 20          A. Yes. 21          Q. Okay. So you answered questions 22 previously from the beginning of the 23 deposition until now with the understanding 24 of retaliation that you just stated; correct? 25          A. Yes.</p>	<p style="text-align: right;">Page 169</p> <p>1           G. ALLEN 2           A. Yes. 3           Q. Okay. And so going forward, let 4 that continue to be your understanding; yes? 5           A. Yes. 6           Q. Okay. So again, has anyone ever 7 accused you -- strike that. 8           Have you ever been involved in any 9 claims of discrimination? 10          A. No. 11          Q. Including this one? 12          A. No. 13          Q. You're aware that plaintiff is 14 claiming that you were involved in her 15 discrimination; right? 16          A. Yes. 17          Q. Okay. So other than plaintiff, has 18 anyone else ever claimed that you were 19 involved with discrimination? 20          A. No. 21          Q. Okay. How about harassment, you're 22 aware that plaintiff is claiming you harassed 23 her; right? 24          A. Yes. 25          Q. And you're aware that plaintiff is</p>

<p style="text-align: right;">Page 170</p> <p>1                   <b>G. ALLEN</b></p> <p>2       alleging that you were involved with</p> <p>3       harassment that occurred against her; right?</p> <p>4       A. Yes.</p> <p>5       Q. Okay. Has anyone other than</p> <p>6       plaintiff ever alleged that you were involved</p> <p>7       in any harassment against them?</p> <p>8       A. No.</p> <p>9       Q. How about retaliation?</p> <p>10      You are aware that plaintiff is</p> <p>11     charging that you were involved in</p> <p>12     retaliation against her; correct?</p> <p>13     A. Yes.</p> <p>14     Q. Okay. Has anyone ever accused you,</p> <p>15     other than plaintiff, of being involved in</p> <p>16     retaliation against them?</p> <p>17     A. No.</p> <p>18     Q. Okay. Have you ever alleged that</p> <p>19     you were discriminated against at work?</p> <p>20     A. No.</p> <p>21     Q. Have you ever alleged that someone</p> <p>22     at work harassed you?</p> <p>23     A. No.</p> <p>24     Q. Have you ever alleged -- when I say</p> <p>25     "alleged," I mean generally, have you ever</p>	<p style="text-align: right;">Page 172</p> <p>1                   <b>G. ALLEN</b></p> <p>2       When defendants fired you, do you</p> <p>3       believe that they were treating you fairly?</p> <p>4       A. I don't know.</p> <p>5       Q. How do you feel about it, being</p> <p>6       fired by defendants?</p> <p>7                   MR. WARSHAW: Objection to form.</p> <p>8       A. I don't know.</p> <p>9       Q. You don't know how you feel?</p> <p>10      MR. WARSHAW: Objection to form.</p> <p>11      A. At that time I don't remember how I</p> <p>12      feel.</p> <p>13      Q. Were you happy at the time when you</p> <p>14      were fired?</p> <p>15      MR. WARSHAW: Objection to form.</p> <p>16      A. No.</p> <p>17      Q. Okay. So you remember being unhappy</p> <p>18      at the time when defendants fired you;</p> <p>19      correct?</p> <p>20      MR. WARSHAW: Objection to form.</p> <p>21      A. Yes.</p> <p>22      Q. Okay.</p> <p>23      MS. MORRISON: What's the grounds</p> <p>24      of your objection?</p> <p>25      MR. WARSHAW: It's been asked and</p>
<p style="text-align: right;">Page 171</p> <p>1                   <b>G. ALLEN</b></p> <p>2       claimed that someone retaliated against you</p> <p>3       at work?</p> <p>4       A. No.</p> <p>5       Q. Okay. Have you ever heard, while</p> <p>6       you were an employee of defendants, anyone</p> <p>7       claiming that any of the defendants ever</p> <p>8       discriminated against them?</p> <p>9       A. No.</p> <p>10      Q. How about the same question with</p> <p>11      respect to harassment?</p> <p>12      A. No.</p> <p>13      Q. And with respect to retaliation, are</p> <p>14      you aware of any claims that someone alleges</p> <p>15      that any of the defendants retaliated against</p> <p>16      them?</p> <p>17      A. No.</p> <p>18      Q. Okay. So that means you have no</p> <p>19      awareness of any of that?</p> <p>20      A. No.</p> <p>21      Q. Correct?</p> <p>22      A. Correct.</p> <p>23      Q. Okay. I just want to make sure it</p> <p>24      reads in a way that you mean it to read on</p> <p>25      the transcript.</p>	<p style="text-align: right;">Page 173</p> <p>1                   <b>G. ALLEN</b></p> <p>2       answered, but he answered it again.</p> <p>3                   MS. MORRISON: Okay.</p> <p>4       Q. Why were you unhappy at the time</p> <p>5       when defendants fired you?</p> <p>6       A. I don't know.</p> <p>7       Q. You don't remember why you were</p> <p>8       unhappy about being fired?</p> <p>9       A. No.</p> <p>10      Q. Okay. How do you feel about</p> <p>11      defendants firing you now?</p> <p>12      In other words, currently as you're</p> <p>13      sitting here in the deposition, what are your</p> <p>14      feelings, if any, with respect to defendants</p> <p>15      firing you?</p> <p>16      A. I don't know.</p> <p>17      Q. You don't know how you feel</p> <p>18      currently about being fired?</p> <p>19      A. No.</p> <p>20      Q. Okay. Are you happy currently that</p> <p>21      you were fired by defendants?</p> <p>22      A. I don't know.</p> <p>23      Q. You don't know if you're happy?</p> <p>24      A. No.</p> <p>25      Q. Okay. Do you have any issues, as</p>